

**Wessinger-Hill, JoAnne**

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**From:** Wessinger-Hill, JoAnne  
**Sent:** Tuesday, June 2, 2020 11:55 AM  
**To:** 'Cooper, J. Ashley'; Weston Adams; Jeremy Hodges; Kenneth.burgess@dominionenergy.com; Pittman, Jenny; Dover, Becky; Grube-Lybarker, Carri  
**Cc:** Minges, Josh; Dukes, Jerisha; Butler, David; Wessinger-Hill, JoAnne  
**Subject:** RE: [External] RE: Docket No. 2019-130-E Ecoplexus, Incorporated, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company), Defendant/Respondent  
**Attachments:** SHOD 2020-06-02 Ecoplexus v Dominion Consent Motion for Extension of Procedural Schedule 2019-130-E.pdf

Dear Parties:

Attached is my Hearing Officer's Directive No. 2020-44-H in the above-noted matter regarding the consent motion dated and filed on May 22, 2020.

Oral Arguments on the Motion to Dismiss scheduled for June 24, 2020 at 10:00 a.m. are rescheduled for Wednesday, August 12, 2020 at 10:00 a.m. See Directive 2020-44-H for the revised procedural schedule in this docket.

With kind regards, I am

Jo Anne Wessinger Hill

**C. Jo Anne Wessinger Hill, Esq.**

**Legal Counsel to the Commission**

**Public Service Commission**

State of South Carolina

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**From:** Cooper, J. Ashley <ashleycooper@parkerpoe.com>

**Sent:** Wednesday, May 27, 2020 3:40 PM

**To:** Weston Adams <weston.adams@nelsonmullins.com>; Wessinger-Hill, JoAnne <JoAnne.Hill@psc.sc.gov>; Jeremy Hodges <jeremy.hodges@nelsonmullins.com>; Kenneth.burgess@dominionenergy.com; Pittman, Jenny <jpittman@ors.sc.gov>; Dover, Becky <BDover@scconsumer.gov>; Grube-Lybarker, Carri <clybarker@scconsumer.gov>

**Cc:** Minges, Josh <Josh.Minges@psc.sc.gov>; Dukes, Jerisha <Jerisha.Dukes@psc.sc.gov>; Butler, David <David.Butler@psc.sc.gov>

**Subject:** [External] RE: Docket No. 2019-130-E Ecoplexus, Incorporated, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company), Defendant/Respondent

JoAnne:

Just to avoid any confusion and in the interest of time, DESC confirms its consent to the Motion.

Regards,

Ashley

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**J. Ashley Cooper**

Partner



**Parker Poe**

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**From:** Weston Adams <[weston.adams@nelsonmullins.com](mailto:weston.adams@nelsonmullins.com)>

**Sent:** Wednesday, May 27, 2020 3:15 PM

**To:** Wessinger-Hill, JoAnne <[JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)>; Jeremy Hodges <[jeremy.hodges@nelsonmullins.com](mailto:jeremy.hodges@nelsonmullins.com)>; Kenneth.burgess@dominionenergy.com; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>; Cooper, J. Ashley <[ashleycooper@parkerpoe.com](mailto:ashleycooper@parkerpoe.com)>; Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>

**Cc:** Minges, Josh <[Josh.Minges@psc.sc.gov](mailto:Josh.Minges@psc.sc.gov)>; Dukes, Jerisha <[Jerisha.Dukes@psc.sc.gov](mailto:Jerisha.Dukes@psc.sc.gov)>; Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)>

**Subject:** RE: Docket No. 2019-130-E Ecoplexus, Incorporated, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company), Defendant/Respondent

\*\*\*Caution: External email\*\*\*

JoAnne:

On May 22 my client Ecoplexus filed a Consent Motion for a 45 day continuance, with Dominion consenting to that Motion. The basis for the Motion was COVID-19, and the need for additional time to discuss settlement. The Motion was accepted for filing, but the Commission has not acted on the Motion.

In light of that pending Motion, would you be willing to hold off on establishing your below deadlines?

Thanks very much-

Weston



WESTON ADAMS, III PARTNER  
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**From:** Wessinger-Hill, JoAnne <[JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)>

**Sent:** Wednesday, May 27, 2020 10:49 AM

**To:** Jeremy Hodges <[jeremy.hodges@nelsonmullins.com](mailto:jeremy.hodges@nelsonmullins.com)>; Kenneth.burgess@dominionenergy.com; Pittman, Jenny <[jpittman@ors.sc.gov](mailto:jpittman@ors.sc.gov)>; Weston Adams <[weston.adams@nelsonmullins.com](mailto:weston.adams@nelsonmullins.com)>; J. Ashley Cooper <[ashleycooper@parkerpoe.com](mailto:ashleycooper@parkerpoe.com)>; Dover, Becky <[BDover@scconsumer.gov](mailto:BDover@scconsumer.gov)>; Grube-Lybarker, Carri <[clybarker@scconsumer.gov](mailto:clybarker@scconsumer.gov)>

**Cc:** Minges, Josh <[Josh.Minges@psc.sc.gov](mailto:Josh.Minges@psc.sc.gov)>; Wessinger-Hill, JoAnne <[JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)>; Dukes, Jerisha <[Jerisha.Dukes@psc.sc.gov](mailto:Jerisha.Dukes@psc.sc.gov)>; Butler, David <[David.Butler@psc.sc.gov](mailto:David.Butler@psc.sc.gov)>

**Subject:** RE: Docket No. 2019-130-E Ecoplexus, Incorporated, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company), Defendant/Respondent

◀External Email▶ - From: [JoAnne.Hill@psc.sc.gov](mailto:JoAnne.Hill@psc.sc.gov)

Dear Parties:

Oral Arguments regarding the Motion to Dismiss is four (4) weeks away at 10:00 a.m. and there are a few items that need to be addressed.

First, if any party has **any additional response or memorandum of law** to address the Motion being argued on June 24, 2020, it is requested that the additional filing be made no later than **June 15, 2020**.

Second, **this Oral Argument will be in the virtual hearing format before the Commission due the COVID-19 pandemic.** For each and every party planning to argue or comment upon the Motion during the Oral Argument before the Commission, the name of the attorney/representative, telephone number, email address, title and company represented is needed. The media used will be WebEx and all participants must use Audio Conference for sound. You will be sent a link prior to the hearing with the necessary WebEx link and other information necessary to participate in the virtual hearing, including the time to connect (usually up to one hour prior to hearing) so that the hearing is ready to begin promptly at 10:00 a.m.. The party, by and through its counsel or representative, is responsible for timely submitting this information and for advising of any changes prior to the scheduled oral argument. **This information is needed no later than June 10, 2020.**

Lastly, it is also possible for a **virtual run through or prehearing conference** to be held prior to the scheduled hearing on June 24<sup>th</sup> so that any issues or problems related to the virtual formatting of the hearing can be addressed. Subject to the availability of the Commission's IT staff, a virtual prehearing conference **can be held on Monday, June 15<sup>th</sup> (time to be set) or at or after 3:30 on Tuesday, June 16, 2020. Please advise of the party's availability.**

Thank you for your attention to this matter. If you have any procedural question for Commission staff, please remember to "reply all" so that all parties are included and advised of the same. All correspondence with Commission Staff must be filed in the Docket for this proceeding as stated below.

With kind regards,

Jo Anne Wessinger Hill

**C. Jo Anne Wessinger Hill, Esq.**  
**Legal Counsel to the Commission**  
**Public Service Commission**

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staff is also subject to the provisions of Commission Order No. 2019-748 in Docket No. 2019-329-A and shall be published in the docket for this matter. If you have received this communication in error, please immediately notify us by telephone at (803) 896-5100.

**SOUTH CAROLINA PUBLIC SERVICE COMMISSION****STANDING HEARING OFFICER DIRECTIVE****DOCKET NO. 2019-130-E ORDER NO. 2020-44-H****JUNE 2, 2020**

Jo Anne Wessinger Hill and Josh Minges  
Standing Hearing Officers

**DOCKET DESCRIPTION:**

**Ecoplexus, Incorporated, Complainant/Petitioner v. Dominion Energy South Carolina, Incorporated (f/k/a South Carolina Electric & Gas Company), Defendant/Respondent**

**MATTER UNDER CONSIDERATION:**

SECOND CONSENT MOTION TO EXTEND DEADLINES by Ecoplexus, Inc. (Ecoplexus) and Dominion Energy South Carolina, Inc. (DESC) dated May 22, 2020.

**STANDING HEARING OFFICER ACTION:**

On May 22, 2020, counsel for Ecoplexus, Inc. filed a joint consent request on behalf of Ecoplexus and DESC for second forty-five (45) day extension of all deadlines and the procedural schedule in this Docket due to the disruption to business and legal matters due to COVID-19 and to allow the parties to continue settlement discussion. The parties state that they have been engaged in meaningful settlement discussion and would like additional time to continue those discussions; however, the parties are continuing to work remotely with limited staff and resources to the COVID-19 pandemic which has substantially hindered conducting discovery and in adequately preparing for all other matters scheduled pursuant to Standing Hearing Officer Directive No. 2020-31-H (April 9, 2020). The parties' request for extension includes a request not only to extend all dates in Standing Hearing Officer Directive No. 2020-31-H, but also requests a hold on all discovery, including responses currently due, for the same forty-five (45) days. The parties jointly proposed a schedule extending all deadlines by forty-five (45) days; however, the hearing date for Oral Arguments as proposed by the parties for August 10<sup>th</sup> needed to be moved to a later day that same week due to the Commission's schedule.

Pursuant to Commission Rule 103-831 and on Consent Motion from Ecoplexus, Inc. and Dominion Energy South Carolina dated May 22, 2020, the Commission finds good cause to revise the amended schedule set by the April 9, 2020 Standing Hearing Officer Directive in this matter.

The request for a forty-five (45) day extension to all deadlines, including discovery and hearing dates, is granted. The amended dates and procedural schedule are as follows:

July 6, 2020	Discovery to resume
July 20, 2020	Ecoplexus' Responses to DESC's First Set of Discovery Requests
August 12, 2020	Oral arguments regarding Motion to Dismiss (at 10:00 a.m.)
August 17, 2020	Discovery process ends
August 31, 2020	Ecoplexus prefile direct testimony
September 14, 2020	Other parties' testimony
September 21, 2020	Ecoplexus' rebuttal testimony
September 28, 2020	Other parties' surrebuttal testimony
October 15, 2020	Hearing to be rescheduled by the Commission not before this date